

Engage PEO Client Alert:

California: New Sexual Harassment Training Rules For 2019

Under the current California law, only employers with 50 or more employees are required to train their managers and supervisors on identifying and preventing unlawful harassment, including sexual harassment. But late in 2018, California made several important changes to this law. While employers will have until January 1, 2020 to comply with these new rules, their impacts will be felt as early as 2019.

The following are key details that clients should know about harassment prevention training as they begin preparing for the new year.

New training requirement will cover more employers and California employees

The new law significantly expands the training requirement in two ways:

1. Employers with five (5) or more employees will be subject to the training requirement (there is no requirement that these five employees work in the same location or that all work or reside in California); and
2. Employers must now train nonsupervisory or “front-line” employees in addition to their managers and supervisors.

More details

- The training for managers and supervisors must be at least two (2) hours in length.
- The training for nonsupervisory/front-line employees must be only one (1) hour in length.
- For new employees, training must be accomplished within six (6) months of an employee joining the company.
- After January 1, 2020, employees must be trained least every two (2) years, but training can begin as soon as January 1, 2019
- For any employee that is hired to work for less than six months (seasonal or temporary employees), an employer shall provide training within thirty (30) calendar days after the hire date or within one hundred (100) hours worked, whichever occurs first.
- Similar to current training for supervisors and managers, the training content for nonsupervisory employees must include materials about workplace bullying; harassment based on gender identity, gender expression, and sexual orientation; among other subjects.

- Any prevention training that took place in 2018 will not count toward the January 1, 2020 deadline, meaning all employees should be trained or re-trained at some point in 2019.

What clients should do now to prepare

- **Mark January 1, 2020 on your calendar** as the deadline by which this training must be completed.
- **Keep an eye out in 2019 for Client Alerts from Engage regarding training dates** or contact your Account Manager or HR Consultant for more information.
- Post the updated **required sexual harassment poster**, which can be found here in [English](#) and [Spanish](#).
- Distribute to current and new employees the updated **unlawful harassment pamphlet**, which can be found here in [English](#) and [Spanish](#).
- Ensure you have posted the **required notice about transgender rights**, which can be found here in [English](#) and [Spanish](#).
- **Access required posters and brochures** in languages other than English or Spanish by clicking on this link and posting/distributing accordingly (<https://www.dfeh.ca.gov/resources/posters-and-brochures-and-fact-sheets/poster-and-brochure-tab-list/?target=Required%20Materials>)